

1 Steven F. Werth (CA Bar No. 205434)
2 *steven.werth@gmlaw.com*

3 **Greenspoon Marder LLP**

4 A Florida limited liability partnership
5 1875 Century Park East, Suite 1900
6 Los Angeles, California 90067
7 Telephone: 213.617.5210
8 Facsimile: 771.771.9264

9 Attorneys for Howard M. Ehrenberg, Chapter 7
10 Trustee

11 **UNITED STATES BANKRUPTCY COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**
13 **LOS ANGELES DIVISION**

14 In re:

15 SPECTRUM LINK, INC.,

16 Debtor.

Case No. 2:21-bk-16403-VZ

Chapter 7

**NOTICE OF TRUSTEE'S MOTION
TO APPROVE SETTLEMENT
BETWEEN CHAPTER 7 TRUSTEE
AND AMERICAN EXPRESS, FOR
\$295,000 AND AUTHORIZING
PAYMENT OF CONTINGENCY FEE
TO GREENSPOON MARDER LLP**

[No Hearing Required Unless Requested]

Greenspoon Marder LLP
1875 CENTURY PARK EAST, SUITE 1900
LOS ANGELES, CALIFORNIA 90071
TEL 213.626.2311 • FAX 954.771.9264

1 **TO THE HONORABLE VINCENT P. ZURZOLO, UNITED STATES**
2 **BANKRUPTCY JUDGE, THE OFFICE OF THE UNITED STATES TRUSTEE, ALL**
3 **CREDITORS, AND PARTIES ENTITLED TO NOTICE:**

4 **PLEASE TAKE NOTICE THAT** Howard M. Ehrenberg, the duly appointed,
5 authorized, and acting Chapter 7 trustee ("Trustee") of the bankruptcy estate ("Estate") of
6 Spectrum Link, Inc. ("Debtor") has filed a "Trustee's Motion To Approve Settlement
7 Between Chapter 7 Trustee And American Express, For \$295,000 And Authorizing
8 Payment Of Contingency Fee To Greenspoon Marder LLP" (the "Motion").

9 **PLEASE TAKE FURTHER NOTICE THAT** the Motion seeks an order
10 approving a settlement ("Settlement") which the Trustee has entered into with American
11 Express National Bank ("American Express"), which received transfers from the Debtor in
12 the four-year period prior to August 11, 2021.

13 **PLEASE TAKE FURTHER NOTICE THAT** the Settlement has been reached as
14 a result of the Trustee conducting an investigation, sending a demand letter,
15 communicating with American Express through counsel, engaging in discovery, and
16 drafting the settlement agreement. The Settlement contemplates that in exchange for a
17 settlement payment, American Express and the Estate will release all claims against each
18 other (except that American Express will retain a general unsecured claim in the amount of
19 \$18,573), and no further litigation will occur. Even if the Trustee discovers that additional
20 transfers made to American Express, the Trustee is waiving the right to pursue litigation
21 relating to additional transfers. The Settlement must be approved by the Court to be
22 effective.

23 **PLEASE TAKE FURTHER NOTICE THAT** the Motion requests authority for
24 the Trustee to pay his counsel, Greenspoon Marder LLP ("Greenspoon"), its 33.3%
25 contingency fee relating to the Settlement payment—specifically, \$98,235.00--on an
26 interim basis, from the proceeds received from American Express. The Motion does not
27 seek reimbursement of expenses at this time. This contingency fee payment to
28 Greenspoon will be subject to further review of the Court, the Office of the U.S. Trustee,

Greenspoon Marder LLP
1875 CENTURY PARK EAST, SUITE 1900
LOS ANGELES, CALIFORNIA 90071
TEL 213.626.2311 • FAX 954.771.9264

Greenspoon Marder LLP
1875 CENTURY PARK EAST, SUITE 1900
LOS ANGELES, CALIFORNIA 90071
TEL 213.626.2311 • FAX 951.771.9264

1 creditors, and parties in interest, in connection with a final fee application that Greenspoon
2 will file at the conclusion of this case in which Greenspoon will request final approval of
3 any contingency fees paid to it and expenses incurred. No party in interest will waive any
4 right to oppose final payment to Greenspoon of any contingency fee, by not objecting at
5 this time to Greenspoon's payment on an interim basis.

6 **PLEASE TAKE FURTHER NOTICE THAT** the Motion is brought in
7 accordance with Federal Rule of Bankruptcy Procedure 9019, and is made on the grounds
8 that the Settlement is supported by a good business justification and is in the best interest
9 of the Estate. The Motion is based on the Motion, the Settlement which is attached to the
10 Motion as Exhibit 1, the Memorandum of Points and Authorities attached to the Motion,
11 the supporting declarations of Howard M. Ehrenberg and Steven F. Werth which are
12 attached to the Motion, and the record in this case.

13 **PLEASE TAKE FURTHER NOTICE THAT** if you would like a copy of the
14 Motion and supporting documentation, counsel for the Trustee Steven F. Werth will
15 provide one to you. Mr. Werth can be reached at *steven.werth@gmlaw.com* and his office
16 number is (213) 617-5210.

17 **PLEASE TAKE FURTHER NOTICE THAT** the Trustee is requesting that the
18 Court grant the Motion without a hearing, as provided for in Local Bankruptcy Rule 9013-
19 1(o). Any formal response in opposition to the Motion, and request for a hearing, must (1)
20 be in the form required by Local Bankruptcy Rule 9013-1(f)(1), (2) be filed with the Clerk
21 of the Court, and (3) be served upon the Trustee's counsel (Steven F. Werth,
22 *steven.werth@gmlaw.com*), and upon the United States Trustee within 17 days of the date
23 this Notice was served. If any such response is timely received, the Trustee will set a
24 hearing date and send out notice of that hearing. No hearing will be held if no response
25 and request for hearing is received. Pursuant to Local Bankruptcy Rule 9013-1(h), the
26 failure to timely file and serve an opposition to the Motion may be deemed as your consent
27 to the granting of the Motion. If you do not oppose the Motion, you need not take any
28 further action.

1 DATED: November 7, 2023

Greenspoon Marder LLP

2
3 By:



4 Steven F. Werth

5 Attorneys for Howard M. Ehrenberg

6 Chapter 7 Trustee
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22
23
24
25
26
27
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Greenspoon Marder LLP
1875 CENTURY PARK EAST, SUITE 1900
LOS ANGELES, CALIFORNIA 90071
TEL 213.626.2311 • FAX 951.771.9264

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 1875 Century East, Suite 1900, Los Angeles, California 90067.

A true and correct copy of the foregoing document entitled (*specify*): **NOTICE OF TRUSTEE'S MOTION TO APPROVE SETTLEMENT BETWEEN CHAPTER 7 TRUSTEE AND AMERICAN EXPRESS, FOR \$295,000 AND AUTHORIZING PAYMENT OF CONTINGENCY FEE TO GREENSPOON MARDER LLP** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) November J, 2023 I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- Michael Jay Berger michael.berger@bankruptcypower.com, yathida.nipha@bankruptcypower.com;michael.berger@ecf.inforruptcy.com
- J Scott Bovitz bovit@bovitz-spitzer.com
- Steve Burnell Steve.Burnell@gmlaw.com, sburnell@ecf.courtdrive.com; sburnell@ecf.inforruptcy.com;cheryl.caldwell@gmlaw.com;denise.walker@gmlaw.com
- Michael F Chekian mike@cheklaw.com, chekianmr84018@notify.bestcase.com
- Douglas A Crowder dcrowder@crowderlaw.com
- Charles W Daff charleswdaff@gmail.com, r53975@notify.bestcase.com
- Howard M Ehrenberg (TR) ehrenbergtrustee@gmlaw.com, ca25@ecfcbis.com; C123@ecfcbis.com;howard.ehrenberg@ecf.courtdrive.com;Karen.Files@gmlaw.com
- M Douglas Flahaut flahaut.douglas@arentfox.com
- Alan W Forsley alan.forsley@flpllp.com, awf@fkllawfirm.com,awf@fl-lawyers.net,addy@flpllp.com
- Thomas P Griffin tgriffin@hsmlaw.com, lnewberry@hsmlaw.com
- M. Jonathan Hayes jhayes@rhmfir.com, roksana@rhmfir.com; matt@rhmfir.com; rosario@rhmfir.com;sloan@rhmfir.com;priscilla@rhmfir.com;rebeca@rhmfir.com;david@rhmfir.com;susie@rhmfir.com;max@rhmfir.com;russ@rhmfir.com
- Mark S Horoupian mark.horoupian@gmlaw.com, mhoroupian@ecf.courtdrive.com; cheryl.caldwell@gmlaw.com;karen.files@gmlaw.com
- Caroline S Kim caroline@kimlawgroup.com, denise@kimlawgroup.com;kimcr81238@notify.bestcase.com
- Marc A Lieberman marc.lieberman@flpllp.com, safa.saleem@flpllp.com,addy@flpllp.com
- Zi Chao Lin zi.lin@tuckerellis.com, kristin.mccarthy@tuckerellis.com; thomas.fawkes@tuckerellis.com;jason.ben@tuckerellis.com
- Kathleen P March kmarch@bkylawfirm.com, kmarch3@sbcglobal.net,kmarch@sbcglobal.net
- Christopher Minier cminier@go2.law, kadele@go2.law
- Kelly L Morrison kelly.l.morrison@usdoj.gov
- Randall P Mroczynski randym@cookseylaw.com
- Aron M Oline rolinier@duanemorris.com
- Sheila M Pistone sheila@pistonelawoffice.com, sheilapistone@yahoo.com
- Thomas J Polis tom@polis-law.com, paralegal@polis-law.com;r59042@notify.bestcase.com
- Hamid R Rafatjoo hrafatjoo@raineslaw.com, bclark@raineslaw.com
- Christopher O Rivas crivas@reedsmith.com, chris-rivas-8658@ecf.pacerpro.com
- Holly Roark holly@roarklawoffices.com, courtnotices@roarklawoffices.com
- Cory J Rooney rooneylaw@outlook.com

- Allan D Sarver ADS@asarverlaw.com
- Scott A Schiff sas@soukup-schiff.com
- Timothy J Silverman tsilverman@scheerlawgroup.com, tsilverman1@ecf.courtdrive.com
- Benjamin L Tompkins ben@kennyhertzperry.com, docketing@kennyhertzperry.com
- United States Trustee (LA) ustpreion16.la.ecf@usdoj.gov
- Steven Werth steven.werth@gmlaw.com,
swerth@ecf.courtdrive.com;pdillamar@ecf.courtdrive.com,Karen.Files@gmlaw.com;patricia.dillamar@gmlaw.com
- Christopher B Wick cwick@hahnlaw.com, lmay@hahnlaw.com;cmb@hahnlaw.com
- Reilly D Wilkinson rwilkinson@scheerlawgroup.com, rwilkinson@ecf.courtdrive.com
- Christopher K.S. Wong christopher.wong@afslaw.com, yvonne.li@arentfox.com
- Gabe P Wright GWRIGHT@hahnlaw.COM, mkanamori@hahnlaw.com;lmay@hahnlaw.com

☐ Service information continued on attached page.

2. SERVED BY UNITED STATES MAIL:

On (date) November 9, 2023, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Debtor

Spectrum Link, Inc.
8221 3rd Street, Suite 204
Downey, CA 90241

Kelly L. Morrison
Office of the US Trustee
915 Wilshire Blvd., Ste. 1850
Los Angeles, CA 90017

Hon. Vincent Zurzolo
Roybal Federal Building
Bin outside of Suite 1360
255 E. Temple Street
Los Angeles, CA 90012-3332

American Express National Bank
Becket and Lee LLP
PO Box 3001
Malvern, PA 19355-0701

American Express
Darryl S. Laddin
Arnall Golden Gregory LLP
171 17th Street NW, Suite 2100
Atlanta, Georgia 30363

☒ Service information continued on attached page.

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) November 9, 2023 served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Via Email

American Express National Bank
Becket and Lee LLP
Email: proofofclaim@becket-lee.com

Via Email

American Express
Darryl S. Laddin
dladdin@agg.com

☐ Service information continued on attached page.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

November 9, 2023

Cheryl Caldwell

/s/ Cheryl Caldwell

Date

Printed Name

Signature

ADDITIONAL SERVICE INFORMATION (if needed):

Creditors

R and A Cell Towers LLC
c/o The Bankruptcy Law Firm, P.C.
10524 W. Pico Blvd., Ste. 212
Los Angeles, CA 90064-2346

The 3250 Wilshire Boulevard Partners
c/o Sheila M. Pistone
Law Office of Sheila M. Pistone
1 Park Plaza
Suite 600 PMB 150
Irvine, CA 92614-5987

Armstrong Family Trust
c/o Thomas J. Polis, Esq.
POLIS & ASSOCIATES, APLC
19800 MacArthur Blvd., Suite 1000
Irvine, CA 92612-2433

12th Capital LLC
13160 Mindanao Way
Marina Del Rey, CA 90292-6358

18321 Ventura Lease
18321 Ventura Blvd.
Tarzana, CA 91356-4228

375 Pearl Street Lease NYC
375 Pearl Street
New York, NY 10038-1444

Aaron A. Ashford
101 Scott Circle
Dudley, NC 28333-9711

Abelli Enterprises LLC
77 Pistapaug Road
Northford, CT 06472-1627

American Express
c/o Becket and Lee
PO Box 3001
Malvern, PA 19355-0701

American Express National Bank
c/o Becket and Lee LLP
PO Box 3001
Malvern PA 19355-0701

American Tower Lease
10250 Santa Monica Blvd.
Los Angeles, CA 90067-6410

Angel Nieto
7260 Richfield Street, Apt. #304
Paramount, CA 90723-3319

Arun Butcher and Kavita Pal
3785 Banyon Lane
Alpharetta, GA 30022-5771

Barak Lurie
Lurie & Kramer
12121 Wilshire Blvd., Suite 300
Los Angeles, CA 90025-1038

Barak Lurie, Esq.
12121 Wilshire Blvd., Suite 300
Los Angeles, CA 90025-1038

Benjamin Bialek
1552 W. Warm Springs oaRd
Suite 110
Henderson, NV 89014-4328

Bruce and Bonnie Hanebutt
948 West Colchester Dr.
Eagle, ID 83616-5892

Copper Properties, LLC
1775 W. State St., #274
Boise, ID 83702-3924

Capital One
PO Box 60024
City Of Industry, CA 91716-0024

JPMorgan Chase Bank N A
Bankruptcy Mail Intake Team
700 Kansas Lane, Floor 01
Monroe, LA 71203-4774

Chris Lane
72 Sea Scape Avenue
Middletown, RI 02842-5853

Christopher M Alinea
2710 Lawson Road
Oriskany Falls, NY 13425-3525

Christopher P. Brandlin, Esq.
BURKLEY BRANDLIN & SWATIK LLP
21515 Hawthorne Blvd., Suite 820
Torrance, CA 90503-6521

Clark Gorrell
625 Keith's Run Road
Ripley, WV 25271-6148

Coresite One Wilshire LLC
1001 17th Street, Suite 500
Denver, CO 80202-2461

Crown Castle Fiber, LLC
Attn: Scott M. Callahan, Collection
80 Central St.
Boxborough, MA 01719-1245

Crown Castle Fiber, LLC
PO Box 28730
New York, NY 10087-8730

Cynthia Wollert
9 Brandermill Dr.
Henderson, NV 89052-6600

Diana Yanko
James H. Bownas
67 East Wilson Bridge Road, Suite 100
Worthington, OH 43085-2338

Dale Boyd Estate
7780 Blewett Cutoff Rd.
Peshastin, WA 98847-9716

Daniel O. Ritt Trust
Attn: Daniel Ritt
168 Dover Pkwy
Garden City, NY 11530-5004

Diana Yanko
490 Ashmoore Court
Powell, OH 43065-7486

Douglas Keeling
10100 Ash Creek Dr.
Union, KY 41091-8214

Duane McFarland
170 Butler Lake Rd.
Saint Simons Island, GA 31522-5437

Eileen M. Warner/ Classic Coastal
1982 State Road 44, Ste 354
New Smyrna Beach, FL 32168-8349

Eileen M. Warner/ Classic Coastal
1982 State Road 44, Ste 354
New Smyrna Beach, FL 32168-8349

Elisabeth Ann Denton
8158 Meadowview Ln
Mechanicsville VA 23111-2206

Employee Development Department
Bankruptcy Group MIC 92E
PO Box 826880
Sacramento, CA 94280-0001

Employment Development Department
Bankruptcy Group MIC 92E, PO BOX 826880
Sacramento, CA 95814

Eric and Julie Smith
1712 Battle Creek Rd.
Charlotte, MI 48813-8509

Estate of Bernard S. Mayfield
c/o Law Offices of Wilma R. Shanks
Attn: Wilma R. Shanks, Esq.
1502 North Broadway
Santa Ana, CA 92706-3907

Franchise Tax Board
Bankruptcy Section MS A340
PO Box 2952
Sacramento, CA 95812-2952

Fernando Torres
16836 Sherman Way #201
Van Nuys, CA 91406-3697

Four T's, LLC
Fredman Lieberman Pearl LLP
1875 Century Park E., Ste 2230
Los Angeles, CA 90067-2522

Foutz Enterprises L.P. Retirement Trust
Timothy P Foutz
5661 Heatherton Drive
Somis CA 93066-9716

GI TC ONE WILSHIRE, LLC
C/O Ron Oliner
Duane Morris LLP
One Market, Spear Tower
Suite 2200
San Francisco, CA 94105

GI TC One Wilshire LLC
PO Box 844664
Los Angeles, CA 90084-4664

Gabor Bako
110 Coventry Street
Lafayette, LA 70506-6149

Gary M Ferman
4509 Club Estates Drive
Naples, FL 34112-8002

Gerald D. Wollert
3799 Cadbury Circle
Apt B710
Venice, FL 34293-5293

Hawaiian Air Credit
PO Box 30008
Honolulu, HI 96820-0008

Hugh and Anne Jenings
1226 Big Daraw Pt
Saint Helena Island SC 29920-3065

Intergate Manhattan LLC
c/o Sabey Data Center Solutions LLC
3355 35th Ave S,
Seattle, WA 98144

Internal Revenue Service
P O Box 7346
Philadelphia, PA 19101-7346

JPMorgan Chase Bank, N.A.
s/b/m/t Chase Bank USA, N.A.
c/o National Bankruptcy Services, LLC
P.O. Box 9013
Addison, Texas 75001-9013

Jacob Pinkey
237 Morcroft Lane
Durham, NC 27705-5656

James P Haggerty
1599 Village View Rd.
Encinitas, CA 92024-5607

James Poorbaugh
3560 E Arborvitae Ct.
Boise, ID 83716-7131

James Roger Postema
6540 48th Avenue
Hudsonville, MI 49426-8925

Jane Elkins
2726 Decoy Drive
Sparks, NV 89436-6466

Jatin C Vora
3017 Tamburlaine Dr
San Ramon CA 94582-2579

Jennifer Mayo
1952 N. Star Way #326
San Marcos CA 92078-0956

Jetmir Celaj
1740 Mulford Avenue 6D
Bronx, NY 10461-4333

Joan McCrea and Donald Gooden
Otto K Hilbert, Esq.
535 16th St Mall
Suite 810
Denver, CO 80202-4228

Jody Pollock
223 1/2 S. Bridge St.
Grand Ledge, MI 48837-1526

Joe Aberle
824 Windslower Dr
Longmont CO 80504-2682

John Buford
701 River Bend Road.
Sugar Grove, NC 28679-8708

John Elkins
2726 Decoy Drive
Sparks, NV 89436-6466

Kenneth B Lyons
7 Daniel Ln.
Lebanon, NJ 08833-4351

Kenneth Thieman and Four T's LLC
c/of Orloff & Associates APC
Attn: Paul Orloff
8402 Florence Avenue Ste B1
Downey, CA 90240-2997

Ketan Patel
2815 Lochgreen Way
Dublin, CA 94568-4595

Kevin McDonald
460 Highland Ave
Clifton, NJ 07011-3712

Khoon San Lee
1445 Sandy Circle
Blacksburg, VA 24060-3772

Leslie Gayle Mast
1627 Clearwater Place
Encinitas, CA 92024-1964

Los Angeles County Treasurer and Tax Collector
Attn Bankruptcy Unit
Po Box 54110
Los Angeles CA 90054-0110

Mark Cheever
8 ILA Road
Saugus MA 01906-1017

Marvin Lesikar
2861 FM 1822
Edna, TX 77957-4741

Micheletti Consulting LLC
15 Synnyside Avenue
Bristol, RI 02809-1711

New York Department of Revenue
2116 Adam Clayton Powell Jr Blvd
New York, NY 10027-4411

Niket P Vakharia, Vardhman LLC
126 Peony Ct.
Fremont, CA 94538-2425

North Carolina Dept of Revenue
501 N. Wilmington St.
Raleigh, NC 27604-8002

One Wilshire
624 S. Grand Ave
Los Angeles, CA 90017-3881

PPP Loan
409 3rd St., SW
Washington, DC 20416-0011

Paxton and Kimberlee Simmons
1071 Beaumont Cir
Vista CA 92084-6317

R & A Cell Towers LLC
21616 Cezanne Place
Woodland Hills, CA 91364-5213

Raman 2004 Trust
1114 Savannah Dr.
San Jose, CA 95117-3064

Rhode Island Department of Revenue
Dept of Labor and Training
PO Box 20380
Cranston, RI 02920-0944

Rodger L Maechtlen
810 S Forewood Rd
Arkansas City KS 67005-9385

Roger C. Jefferson
160 West Foothill Parkway
Suite 105-188
Corona, CA 92882-8545

Ross Trachtenberg
36 Beacon Street
Natick, MA 01760-2822

Samir Vora
7290 Club House Dr
Pleasanton CA 94566-9806

Sandra Dabrowski/Johnny Frederick
107 Tall Grass Circle
Huntsville, AL 35811-6503

Terry Harper
252 Youngs Run Dr
Warren OH 44483-7113

The 3250 Wilshire Blvd. Partners
c/o Steven J. Revitz
Raiskin & Revitz
1875 Century Park East, Ste 2000
Los Angeles, CA 90067-2545

The Commonwealth of Massachusetts
Labor and Workforce Development
Charles F. Hurley Building
19 Staniford Street
Somerville, MA 02143

The Flying Moose, LLC
28610 Hwt 290
Ste. #F09-130
Cypress, TX 77433

Thomas Smith
1601 North 10th Street
Boise ID 83702-3627

Tim and Ruth Asper
7924 Roseland Drive
Urbandale IA 50322-4468

Us Bank
PO Box 5229
Cincinnati, OH 45201-5229

Urmila Mistry
2048 Headon Road
Ontario Canada
L7M 4G3

Valery Lipenko
7905 Bentley Dr.
North Richland Hills, TX 76182-7683

Varun Chauhan
5066 Rishley Run Way
Mount Dora, FL 32757-8009

Ventura Robertson LLC, Ventura 8th LLC and
Ventura Fig. LLC
C/o Optimus Properties LLC
1801 Century Park East, Suite 2100
Los Angeles, CA. 90067-2323

Ventura Robertson, LLC
c/o Law Offices of Barak Isaacs
30423 Canwood Street, Suite 118
Agoura Hills, CA 91301-4314

Walter J Wiesler
15932 W Summerwalk DR
Surprise, AZ 85374-6146

William Dreggors and Susan Abel
30444 Ruby Ranch Road
Evergreen, CO 80439-7833

William G. Nowack
335 E. Paradise Ln.
Phoenix, AZ 85022-2518

Zachary Simmons
1362 Olive Ave
Vista CA 92083-4741

c/o Ron Oliner
Duane Morris LLP
One Market, Spear Tower
Suite 2200
San Francisco, CA 94105

Allan Sarver
c/o Law Offices of Allan D. Sarver
16000 Ventura Blvd
Suite 1000
Encino, CA 91436-2762

Firuz Gilcher
Arent Fox LLP
c/o M. Douglas Flahaut
555 West Fifth Street, 48th FL
Los Angeles, CA 90013-1065

Rosalina Frank
PO Box 28572
Anaheim, CA 92809-0152

Paul Sagoo
11920 Indian Hills
Chatsworth, CA 91311

Laura Dale & Associates, P.C.
1800 Saint James Place
Suite 620
Houston, TX 77056

BMW of Clear Lake
15943 Gulf Fwy.
Webster, TX 77598

Marriott International
Attn: John C. Josefsberg
Rudner Law Offices
12740 Hillcrest Road
Suite 240
Dallas, TX 75230

Christian Louboutin
c/o Charles E. Boulbol, P.C.
26 Broadway, 17th Floor
New York, NY 10004

Lamps Plus, Inc.
Attn: Cecile Fernando
956 E. Imperial Hwy.
Brea, CA 92821

Nevada System of Higher Education
Attn: Peter J. Goatz
University of Nevada, Las Vegas
4505 S. Maryland Pkwy,
Las Vegas, NV 89154